



City of Marietta Meeting Agenda

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

CITY COUNCIL

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, July 9, 2008

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Councilman Griffin "Grif" Chalfant, Ward 2

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20080789 Swearing In Ceremony

Swearing in of new officers for the Marietta Police Department
Heath Edmondson
Kanika Blackmon
Robert Fekert

20080515 Distinguished Service Award - Marcelle David

Distinguished Service Award presented to Marcelle David for her dedication and service on the Marietta Redevelopment Corporation.

PROCLAMATIONS:

20080808 Lockheed Martin

Proclamation to recognize Lockheed Martin for being chosen "2008 Georgia Manufacturer of the Year."

20080799 July is Parks and Recreation Month

Proclamation designating July as "Parks and Recreation" month.

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:

CONSENT AGENDA:

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:

* **20080769 Regular Meeting - June 11, 2008**

Review and approval of the June 11, 2008 regular meeting minutes.

* **20080770 Special Meeting - June 26, 2008**

Review and approval of the June 26, 2008 regular meeting minutes.

MAYOR'S APPOINTMENTS:

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CITY COUNCIL APPOINTMENTS:

* **20080727 Planning Commission Appointment**

Reappointment of Benjamin Parker to the Marietta Planning Commission (Ward 7) for a term of three years expiring on June 11, 2011.

* **20080690 Appointment of Additional Associate Judge**

Appointment of Mazi Mazloom as an additional associate judge to the Marietta Municipal Court.

* **20080758 Marietta Board of Lights and Water - Resident Post**

Appointment of Charles "Chuck" George to the Marietta Board of Lights and Water, for a 4-year term expiring August 10, 2012.

ORDINANCES:

* **20080759 Code Enforcement - 1277 Banberry Road**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 1277 Banberry Road.

Listed Owner: Mr. Alberto Torres

Certified mail receipt received 06-02-08; unclaimed.

Taxes paid: No, \$1,049.44

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

* **20080760 Code Enforcement - 420 Cedar Trace**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 420 Cedar Trace.

Listed Owner: Steven T. Travis

Certified mail receipt returned 06-20-08; undeliverable.

Taxes paid: Yes

PUBLIC HEARING REQUIRED

Philip M. Goldstein abstaining

* **20080763 Code Enforcement - 176 Bishop Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 176 Bishop Drive.

Listed Owner: Mrs. Ella Ruth Davis
Certified mail receipt received 06-27-08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

* **20080765 Code Enforcement - 202 Bishop Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 202 Bishop Drive.
Listed Owner: David & Marsha Genin
Certified mail receipt not received as of 06-27-08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

* **20080766 Code Enforcement - 876 Richard Street**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 876 Richard Street.
Listed Owner: William Sam Key
Actual Owner: Kenneth C. Cook, Jr.
Certified mail receipt received from Actual Owner on 06-25-08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED

* **20080774 Code Enforcement - 210 Goldie Drive**

An ordinance authorizing the removal of overgrown grass, weeds and obnoxious vegetation, along with trash and debris, rendering sanitary property in the corporate limits of the City of Marietta, Georgia at 210 Goldie Drive.
Listed Owner: Bass George D.
Certified mail receipt not received as of 06-27-08.
Taxes paid: Yes
PUBLIC HEARING REQUIRED
Philip M. Goldstein abstaining

20080577 Z2008-06 Anthony Jacobs (Walker School) 823 Damar Road

Z2008-06 [REZONING] ANTHONY JACOBS (WALKER SCHOOL) request rezoning for property located in Land Lot 10180, District 16, Parcel 0100, 2nd Section, Marietta, Cobb County, Georgia and being known as 823 Damar Road from HI (Heavy Industrial) to OI (Office Institutional). Ward 5.

Planning Commission recommends approval *Vote: 7 - 0 - 0*

Stipulation: n/a

Public Hearing (all parties are sworn in)

20080582 Z2008-07 Paul Chastain 907 Church Street Ext.

Z2008-07 [REZONING] PAUL CHASTAIN request rezoning for property

located in Land Lot 10150, District 16, Parcel 0180, 2nd Section, Marietta, Cobb County, Georgia and being known as 907 Church Street Extension from R-2 (Single Family Residential 2 units/acre) to OI (Office Institutional). Ward 4.

Planning Commission recommends approval *Vote: 7 - 0 - 0*

Stipulation: n/a

Public Hearing (all parties are sworn)

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

- * **20080807 Denial of Claim**
Denial of claim of Richard Reynolds.
- * **20080820 Denial of Claim**
Denial of claim of Harvey Q Strother.
- * **20080821 Denial of Claim**
Denial of Claim of Trevor and Rebecca Jordan.

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: Grif Chalfant, Chairperson

- * **20080738 Reallocations FFY'08 CDBG funds**
Resolution approving the reallocation of FFY'08 CDBG funds to Housing Rehabilitation.
- * **20080739 FFY'2009 CDBG Final Statement Projects List and further, Approving, any additional CDBG FFY'2009 funds allocation.**
Resolution Authorizing the submittal of the City's FFY'2009 CDBG Final Statement Projects List to Cobb County for inclusion in their submittal to the U.S. Department of Housing and Urban Development (HUD); and further, Approving, any additional CDBG FFY'2009 funds the City may receive from actions by Congress be allocated to neighborhood redevelopment/housing rehabilitation.
- 20080816 Marietta Redevelopment Corporation 2008 Work Plan**
Update and Discussion of the Marietta Redevelopment Corporation's 2008 work plan, existing contracts, and existing fundings (as approved).
Requested by Councilman Goldstein

2. Finance/Investment: Annette Lewis, Chairperson

- * **20080678 Budget Amendment**
Ordinance amending the budget for Police Asset Forfeiture by appropriating an

additional \$265,000 into Account #260-4001-521-69-01 (Designated Contingency) to be used to cover past and future expenditures for the rest of this fiscal 2008.

* **20080742 NLC Annual Leadership Summit**

Motion to approve travel and training expenses for Mayor and Council members who wish to attend the NLC 16th Annual Leadership Summit, September 11-13, 2008 in Welches, Oregon.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

* **20080809 CA2008-04 Proposal to Amend the Comprehensive Development Code**

CA2008-04 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta relating to Section 714.02 of the Zoning Ordinance, Sign Permit Requirements.

Planning Commission recommends approval *Vote: 7 - 0 - 0*

Stipulation: n/a

Public Hearing (all parties are sworn in)

Van Pearlberg opposed.

* **20080811 CA2008-05 Amendment to the Comprehensive Development Code**

CA2008-05 [CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta relating to Section 712.09, paragraph B, paragraph F(4) and paragraph G(4) of the Zoning Ordinance, Commercial Corridor Design Overlay District

Planning Commission recommends approval *Vote: 7 - 0 - 0*

Stipulation: n/a

Public Hearing (all parties are sworn in)

* **20080701 Marietta Walk Final Plat (Phase I)**

Motion to approve the Final Plat for Marietta Walk (Phase I) as revised and corrected per stipulations from the January 16, 2008 City Council Special Meeting

4. Parks, Recreation and Tourism: Holly Walquist, Chairperson

5. Personnel/Insurance: Van Pearlberg, Chairperson

* **20080741 Revision to the Personnel Rules and Regulations**

Ordinance revising Section 4-4-24-080 of the City/BLW Personnel Rules and Regulations, promotional appointment.

6. Public Safety Committee: Anthony Coleman, Chairperson

* **20080698 Standard Operating Procedures**

Motion approving amendments to the Marietta Police Department Standard

Operating Procedures: E030 Special Events; P020 Missing Children; P040 Routine, Urgent, and Emergency Driving; S034 Juvenile Procedures

7. Public Works Committee: Jim King, Chairperson

* **20080801 731 Whitlock Avenue**

Motion authorizing the partial acquisition of property at 731 Whitlock Avenue from DDR Southeast Whitlock, L.L.C. in exchange for \$10.00 to construct a sidewalk.

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

* **20080806 Purchase of Property at 79 N. Fairground St.**

Motion authorizing the total acquisition of property at 79 North Fairground Street owned by Amina Johnson in exchange for \$126,000 for the purposes of constructing Fairground Street road improvements.

Van Pearlberg opposed.

* **20080771 BLW Actions of July 7, 2008**

Review and approval of the July 7, 2008 actions and minutes of the Marietta Board of Lights and Water Works (BLW).

ADJOURNMENT: